



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of: )

S.D. AUGUSTINE ET AL. )

Serial No.: 08/419,719 )

Filed: April 10, 1995 )

For: THERMAL BLANKET )

Group Art Unit: 3304

Examiner: M. Graham

Docket No.: AUGA01000010

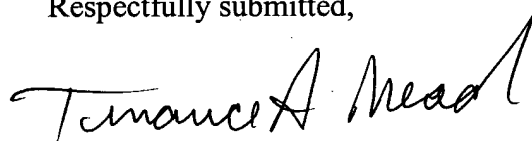
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

COMMUNICATION

Accompanying this paper is an Information Disclosure Statement. On June 2, 1997, a Notice (Paper No. 19) was mailed from the Office of Patent Publication to the undersigned. The purpose of the Paper was to give notice that the subject patent application was withdrawn from issue by the Office for the purpose of reopening prosecution. The litigation related to the subject matter and priority of this application has now been heard on appeal by the Court of Appeals, Federal Circuit. The accompanying Information Disclosure Statement forwards a copy of the Decision on Appeal. Subsequent to the decision, Augustine Medical, Inc., the owner by assignment of this patent application, submitted a Petition For Rehearing And Suggestion For Rehearing In Banc, a copy of which is attached. As of this date, the Federal Circuit has not ruled on the Petition, but has asked that Gaymar and Mallinckrodt respond to the petition.

Respectfully submitted,

  
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Date: 22 July 1999

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**PROOF OF SERVICE**



I certify that on June 21, 1999, I caused true and correct copies of the following: *Combined Petition For Rehearing And Suggestion For Rehearing In Banc of Plaintiff-Cross-Appellant Augustine Medical, Inc.* to be served by Federal Express on:

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